IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Bail Appl..No. 1346 of 2007()

CRIME NO.85/07 OF KANNUR TOWN POLICE STATION

: PETITIONER/1ST ACCUSED

K.C.JAYAND, S/O. KANDEMBATH KORAN,
TODY SHOP CONTRACTOR, PAYYAMBALAM,
KANNUR DISTRICT.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

S.H.O.,
KANNUR TOWN POLICE STATION, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1346 OF 2007 C

Dated this the 7th day of March, 2007

O R D E R

Petitioner, who is the first accused in Crime No.85/2007 of Kannur Town Police Station for offences punishable under sections 363, 342, 293 and 511 of 377 read with section 34 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 22.2.2007 at about 10 a.m. accused Nos.1 and 2 updated three boys below the age of 18 years to enable the first accused to commit the offence of unnatural carnal intercourse after the boys were compelled to watch pornographic film.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation, potency test, etc. and then have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 13.3.2007 and 15.3.2007 for the purpose of interrogation and potency test. The petitioner shall, thereafter, be produced on the same day before the concerned

Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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